Amendments to the Claims

This listing of claims will replace all prior versions of the claims.

1. (Amended) A vector for plant transformation comprising a T-DNA sequence, the T-DNA sequence comprising a sequence located between two direct repeats, and a gene encoding a toxin gene and/or a nucleotide sequence that interferes with DNA unwinding, wherein said gene encoding a toxin gene and/or a nucleotide sequence that interferes with DNA unwinding is not located within said T-DNA sequence.

2. (Amended) The vector according to claim 1, wherein the gene encoding a toxin gene is selected from the group consisting of an RNAse, a DNAse, a phytotoxin, a diphteria toxin, a protease, and an antisense sequence for a housekeeping gene~~, wherein the housekeeping gene is selected from the group consisting of an ATP synthase gene, a cytochrome c gene, a pyruvate kinase gene, an aminoacyl transferase gene, a phosphate translocator gene, a dicarboxylate translocator gene, dicarboxylate translocator gene, and a 2-oxo-glutarate translocator gene~~.

3. (Canceled)

4. (Previously presented) The vector according to claim 1, wherein the nucleotide sequence that interferes with DNA unwinding is a sequence which binds a DNA binding protein.

5. (Amended) The vector according to claim 4, wherein the sequence which binds DNA binding proteins is a vir box of the sequence 5'TNCAATTGAAAY3' (SEQ ID NO:19) wherein N is any nucleotide and Y is a pyrimidine base nucleotide (T or C).

6. (Previously presented) The vector according to claim 1, wherein the sequence which interferes with DNA unwinding is a sequence of 20-60 basepairs with a GC-content of more than 80%.

7. (Canceled)

8. (Previously presented) A method for obtaining a transgenic plant comprising transforming a plant cell with the vector of claim 1, 2, 4, 5 or 6, selecting a transformed cell, and producing a plant from the transformed cell.

9. (Previously presented) A plant host comprising the vector according to claim 1, 2, 4, 5, or 6.

10. (Canceled)

11. (Amended) A method for the transformation of plants comprising transforming a plant cell with the vector of claim 1, 2, 4, 5, or 6 and selecting ~~the~~ a transformed cell.

12. (Not entered) A method for producing a transgenic plant containing a polynucleotide of interest, the method comprising:

(a) introducing into a plurality of plant cells a T-DNA vector comprising:

(i) a T-DNA sequence comprising a right border, a left border and the polynucleotide of interest positioned between the right border and left border, and

(ii) a non-T-DNA sequence comprising a barnase polynucleotide sequence encoding a barnase enzyme, wherein said non-T-DNA sequence is located beyond the left T-DNA border;

(b) selecting a plant cell which comprises the T-DNA sequence and does not comprise the barnase polynucleotide sequence; and

(c) regenerating a transgenic plant from the selected plant cell.

13. (New) The vector according to claim 2, wherein the housekeeping gene is selected from the group consisting of an ATP synthase gene, a cytochrome c gene, a pyruvate kinase gene, an aminoacyl transferase gene, a phosphate translocator gene, a dicarboxylate translocator gene, and a 2-oxo-glutarate translocator gene.

14. (New) A method for producing a transgenic plant containing a polynucleotide of interest, the method comprising:

(a) introducing into a plurality of plant cells a T-DNA vector comprising:

(i) a T-DNA sequence comprising a right border, a left border and the polynucleotide of interest positioned between the right border and left border, and

(ii) a non-T-DNA sequence comprising a lethal polynucleotide sequence encoding a lethal polypeptide, wherein said non-T-DNA sequence is located beyond the left T-DNA border;

(b) selecting a plant cell which comprises the T-DNA sequence and does not comprise the lethal polynucleotide sequence; and

(c) regenerating a transgenic plant from the selected plant cell.

15. (New) The method of claim 14, wherein the lethal polypeptide is a ribonuclease.

16. (New) The method of claim 15, wherein the ribonuclease is barnase comprising an intron in the coding region.

17. (New) The method of claim 14, wherein the non-T-DNA sequence comprises a screenable marker and the method further comprises detection of the screenable marker in the plant cells.

18. (New) The method of claim 14, wherein the non-T-DNA sequence further comprises a screenable marker and the method further comprises detection of the screenable marker in the plant cells.

19. (New) The method of claim 18, wherein the screenable marker encodes β-glucuronidase.

20. (New) The method of claim 14, wherein the lethal polynucleotide sequence is within about 5 kb of the left border.

21. (New) An isolated T-DNA vector comprising a T-DNA sequence comprising a right border and a left border and a non-T-DNA sequence comprising a lethal polynucleotide sequence encoding a lethal polypeptide, wherein said non-T-DNA sequence is located beyond the left T-DNA border.

22. (New) The isolated T-DNA vector of claim 21, further comprising a polynucleotide of interest positioned between the right border and left border of the T-DNA sequence.

23. (New) The isolated T-DNA vector of claim 21, further comprising a selectable marker positioned between the right border and left border of the T-DNA sequence.

24. (New) The isolated T-DNA vector of claim 21, wherein the lethal polypeptide is a ribonuclease.

25. (New) The isolated T-DNA vector of claim 24, wherein the ribonuclease is Barnase.

26. (New) The isolated T-DNA vector of claim 25, wherein the Barnase has an intron in the coding region.

27. (New) The isolated T-DNA vector of claim 21, wherein the non-T-DNA sequence further comprises a screenable marker.

28. (New) The isolated T-DNA vector of claim 27, wherein the screenable marker encodes β-glucuronidase.

29. (New) The isolated T-DNA vector of claim 21, wherein the lethal polynucleotide sequence is within 5 kb of the left border.